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9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 NEMR HALLAK,
17 TOLGA SUATAC,
18 MICHELINA PERNA,
a/k/a Michelle Perna,
19 a/k/a Michelle Perry,
a/k/a Sonia Perry, and
ROBERTO MANCINI,

20 Defendants.

) No. CR-16-116 EMC

) UNITED STATES' EX PARTE
) APPLICATION FOR AN ORDER
) AUTHORIZING DISCLOSURE OF
) GRAND-JURY MATTERS AND
) [PROPOSED] ORDER

21
22 EX PARTE APPLICATION

23 On April 21, 2016, the Grand Jury approved and filed a Superseding Indictment charging Nemr
24 Hallak and others with various offenses. Defendant Hallak was arrested in Greece and an extradition
25 proceeding is pending. The United States is advised that, as part of the extradition proceeding, it is
26 necessary to submit the witness statements and other evidence underlying the arrest warrant.

27
28 U.S.' EX PARTE APPLIC. RE GRAND-JURY MATTERS
& [PROPOSED] ORDER, CASE NO. CR 16-116 EMC

certified copy to PUSA -
Ch. D. Magette

FILED
APR - 3 2017
SUSAN I. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 Accordingly, the United States seeks authority to disclose in the Greek extradition proceeding the
2 testimony before the Grand Jury that returned the Superseding Indictment.

3 Federal Rule of Criminal Procedure 6(e)(3)(E)(i) provides that the Court may authorize
4 disclosure of a grand-jury matter "preliminary to or in connection with a judicial proceeding." In
5 addition, Rule 6(e)(3)(E)(iii) authorizes the Court to order disclosure, at the request of the government,
6 "when sought by a foreign court or prosecutor for use in an official criminal investigation." Each of
7 these provisions authorizes the Court to order the disclosure of grand-jury testimony under these
8 circumstances.

9 For these reasons, the United States respectfully requests the Court issue the Proposed Order.
10 Because the Superseding Indictment names other defendants and is currently under seal, the United
11 States also respectfully requests the Court order that this Ex Parte Application and the Proposed Order
12 also be filed under seal.

13 Dated: March 30, 2017

Respectfully Submitted,

14 BRIAN J. STRETCH
15 United States Attorney

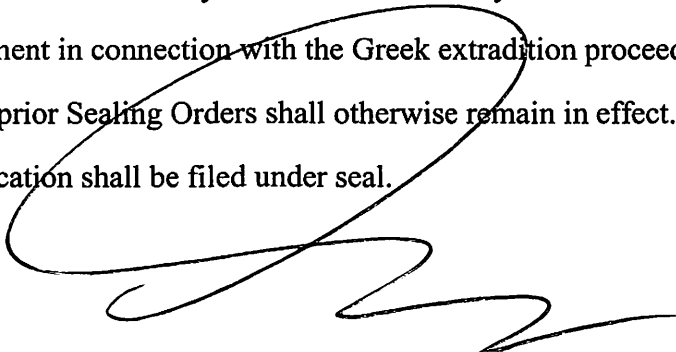
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17 ROBERT S. LEACH
18 Assistant United States Attorney

19 **[PROPOSED] ORDER**

20 Based upon the ex parte application of the government and for good cause shown, IT IS
21 HEREBY ORDERED that the United States may disclose the testimony before the Grand Jury that
22 returned the Superseding Indictment in connection with the Greek extradition proceeding involving
23 Defendant Hallak. The Court's prior Sealing Orders shall otherwise remain in effect. This Order and
24 the United States' ex parte application shall be filed under seal.

25 IT IS SO ORDERED.

26 Dated: 4/3/17
27


28 THE HONORABLE EDWARD M. CHEN